

68-CR-133

CLOSED

J.S. 2 mailed 11-30-68

Clerk

J.S. 3 mailed 11-30-68

Marshal

Violation Transporting
aliens

Docket fee

Title 8

Sec. 1324(a)(2)

11-21-68

Defendant present in person and represented. Deft. advised as to charges. Waiver of indictment read and interpreted to deft. by Mr. Medina, signed, approved and filed in open court. Copy of information heretofore furnished deft. Formal reading waived by deft. Information filed in open court. Deft. arraigned and enters pleas of GUILTY as to Cts. 1,2,3,4,5,6,7,8,9,10,11 & 12. It is adjudged that deft. is GUILTY as charged as to CTS. 1,2,3,4,5,6,7,8,9,10,11 & 12. Petition to enter plea of guilty signed, approved and filed in open court.

Judgment and Sentence - Pedro Barrera Avila (Age 19)

Defendant committed to custody of Atty. Gen. for treatment and supervision pursuant to T. 18, USCA, Sec. 5010(b) until discharged by the FYCD of the Board of Parole, as to Cts. 1, 2,3,4,5,6,7,8,9,10,11 & 12. (LB-J)(FS-CSR)m

11-21-68

Judgment and Commitment, filed and entered. (LB-J)m

11-21-68

Two c/c of J&O delivered to U.S. Marshal. m

12-3-68

Cc of J&C returned and filed: defendant delivered to U. S. Reformatory, El Reno, Oklahoma, on 11-27-68. g

11-2-71

Certificate Setting Aside Conviction, dated 10-27-71, filed. v

DATE	PROCEEDINGS

68-CR-133

UNITED STATES COMMISSIONER
NORTHERN DISTRICT OF OKLAHOMA
RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Charles F. Burns Miami, Oklahoma,
(Name of commissioner) (Address)

COMMISSIONER'S
DOCKET NO. 1 CASE NO. 337
THE UNITED STATES
vs.

Pedro Barrera Avila

Complaint filed on 11-11-68, 1968, by Thomas I. Ball,
Official title Chief Patrol Inspector, Immigration & Naturalization Service,
United States Code, Title 8, Section 1324(a)(2), on 11-10-68
1968, at Miami, Okla in the Miami
division of the Northern district of Oklahoma

as follows: knowing that the hereinafter named alien
was in the United States in violation of law, and know-
ing and having reasonable grounds to believe that the
said alien had entered the United States by
means of a motor vehicle, and that the said alien
had not been duly admitted by an immigration
officer, and that the said alien had not been
admitted to enter and reside within the United States.

WARRANTS OR SUMMONS ISSUED:

Date 11-10-68 Warrant/Summons for U S Marshal etc

(Name of defendant)

to (name and title of officer)

Substance of return Arrested at Miami, Oklahoma, by Thomas I. Ball, Chief Patrol
Inspector, Immigration & Naturalization Service

Date _____ Warrant/Summons for _____

to (name and title of officer)

Substance of return _____

1705v
Filed 11-14-68
m-m. King Clark

(Name of defendant)

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date 11-10-68 Arrested by Thomas I. Ball

on warrant of Charles F. Burns
U S Commr. (Name of issuing officer)
without warrant.

Appearances

for United States

for accused

Chief Patrol Inspector
Immigration & Natural-
ization Service
(Name)

(Address)

(Name)

(Address)

Proceedings taken Complaint filed and warrant issued. Warrant served on deft.

(Here insert with dates, when appropriate, a serialtim account of essential steps taken at hearing such as "complaint prepared,"

Deft present in open court without counsel. Deft advised of his rights and right

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

to be represented at all stages of the proceedings. Deft waived and executed

if that is the fact; any adjournments taken, etc.

waiver of counsel and waived a preliminary hearing. Deft's bond fixed in the sum

of \$2500.00 and remanded to the custody of the U S Marshal for delivery at Tulsa,

Oklahoma, for further proceedings before the U S District Court Judge at that

point.

Outcome

Bail fixed 11-10-68, 1968 Amount, \$ 2500.00 Bonded _____, 1968, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 1968 [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 1968, [or] committed to Tulsa, Oklahoma
on 11-10-68, 1968

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

_____, 19____, for (name of witness)_____
at request of (name of party)_____
Substance of return_____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date_____ Appearances for

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing_____ names certified to United States Marshal for payment_____, 19____
Proceedings taken_____

Outcome_____

Bail fixed_____, 19____ Amount, \$_____ Bonded_____, 19____, by cash
deposited by (name)_____ Address_____
transmitted to clerk of district court_____, 19____
[or] by surety (names)_____ Address_____
and_____ Address_____
who justified by affidavit_____, 19____ Committed to_____
on_____, 19____

Certified to be a correct transcript.

Made this 13 day of November, 19 68

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma November 13 v., 19 68

Charles F. Lucas

United States Commissioner.